



## Phillips Lytle LLP

May 31, 2022

### Via ECF

The Honorable Nina Gershon  
United States District Judge  
The Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Joint Status Report: *Suffolk County Water Authority v. The Dow Chemical Co. et al.*,  
No. 2:17-cv-6980-NG-RLM, and *Related Cases*

Dear Judge Gershon and Judge Mann:

On behalf of all 32 Parties in the referenced cases, the Parties update their progress regarding discovery items previously reported to the Court and additional case updates.

For brevity's sake, the Parties refer the Court to the letter motion they filed on May 17 (ECF 300-1) in support of the Agreed Proposed Supplemental Case Scheduling Order, which the Court entered on May 18.

Since then, in addition to the completion of several depositions and the continued exchange of documents, on May 26, following Judge Mann's denial in substantial part of New York Department of Environmental Conservation's motion for a protective order, ECF 302, DEC and the Parties submitted to the Court a Proposed Joint Confidentiality Stipulation and Order to clarify the manner in which insurers, indemnitors, mock jurors, and focus group members may view such information. ECF 303. The Court entered that Order on May 27.

The Parties will continue to work toward resolving open discovery issues without the Court's involvement. If they are unable to reach agreement on those or any other issues, they will promptly raise the issues with the Court.

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/s/ Joel A. Blanchet

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<sup>1</sup> The Sher Edling firm represents all Plaintiffs in these related cases except Plaintiffs New York American Water (19-cv-2150) and Hicksville Water District (19-cv-5632).



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